

BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

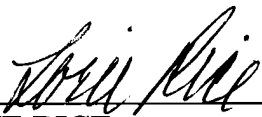
In the Matter of the Accusation)	
Against:)	
)	
PAUL PAO-SHAN LIN, M.D.)	No: 06-1995-47179
Certificate No. G-41233)	
)	
<u>Respondent</u>)	

ORDER SETTING ASIDE DECISION AND
REMANDING TO ADMINISTRATIVE LAW JUDGE

In accordance with the Peremptory Writ issued March 13, 2002 in the matter of Paul Pao-Shan Lin v. Medical Board of California, Sacramento County Superior Court No. 00CS00983 and the Modified Judgment dated January 10, 2002, the Medical Board of California hereby sets aside its decision dated May 19, 2000 and remands the above-captioned case to an administrative law judge for further action consistent with the above-referenced Writ and Modified Judgment. Such further action shall include:

A new and complete evidentiary hearing in Los Angeles solely on the issue of penalty to be conducted by an administrative law judge who did not preside over the initial administrative hearing. Such administrative law judge shall consider, when formulating the proposed decision, the matters discussed in the Court's Ruling on Submitted Matter dated August 15, 2001. A copy of the writ, modified judgement and court's ruling are attached and incorporated by reference.

IT IS SO ORDERED this 28 day of May, 2002.

By: 
LORIE RICE
Chair - Panel A
Division of Medical Quality

IN THE
Court of Appeal of the State of California

IN AND FOR THE
THIRD APPELLATE DISTRICT

FILED

MAY 16 2002

MEDICAL BOARD OF CALIFORNIA,
Petitioner,

v.

THE SUPERIOR COURT OF SACRAMENTO,
Respondent;
PAUL PAO-SHAN LIN,
Real Party in Interest.

COURT OF APPEAL - THIRD DISTRICT
DEENA C. FAWCETT

BY _____ Deputy

C040791
Sacramento County
No. 00CS00983

BY THE COURT:

The stay order issued May 9, 2002, is vacated. The petition for extraordinary writ is denied.

Dated: May 16, 2002

SIMS, Acting P.J.

I would vote to issue the alternative writ. **DAVIS, J.**

cc: See Mailing List

IN THE
Court of Appeal of the State of California
IN AND FOR THE
THIRD APPELLATE DISTRICT

FILED

MEDICAL BOARD OF CALIFORNIA,
Petitioner,

v.
THE SUPERIOR COURT OF SACRAMENTO,
Respondent;
PAUL PAO-SHAN LIN,
Real Party in Interest.

MAY - 9 2002

COURT OF APPEAL - THIRD DISTRICT
DEENA C. FAWCETT

BY _____ Deputy

C040791
Sacramento County
No. 00CS00983

BY THE COURT:

The peremptory writ of mandate issued on March 13, 2002, in Sacramento County Superior Court Case No. 00CS00983, Paul Pao-Shan Lin v. Medical Board of California is stayed pending further order of this court.

Dated: May 9, 2002

SCOTLAND, P.J.

cc: See Mailing List

RECEIVED
MAY 14 5 59 AM '02
ATTORNEY GENERAL
LOS ANGELES